

A G E N D A

BOARD OF SHELBY COUNTY COMMISSIONERS

CHARTER FORM OF GOVERNMENT

SEPTEMBER 29, 2003

- 1:30 P.M.

COMMISSION CONVENES
- CALL TO ORDER

Deputy Sheriff Carol Taylor
- INVOCATION

Reverend Martha Wagley, First United Methodist Church
- PLEDGE OF ALLEGIANCE
- ROLL CALL

FORD
ADOPTED

Approval of Minutes of Previous Sessions
August 11, 2003

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

- HOOKS
ADOPTED

1. Memorial Resolution in honor of Peggy Edmiston.

Ordinances

- HOOKS
(DEFERRED
TO 10/13/303)

2. **ORDINANCE – FIRST READING** – An Amendment to the Joint Ordinance by the City Council of the City of Memphis and Resolution by the Board of the County Commissioners of Shelby County, creating the Memphis and Shelby County Office of Construction Code Enforcement and prescribing its power and duties; providing for the creation of a Joint Board of Appeals and the election of its chairman and vice chairman; providing for an Administrator and two Deputy Administrators for the office; providing for the distribution of funds accruing to said office and for the sharing the expense of operation of said board and office by said governmental bodies; creating Code Advisory Boards and Licensing Boards; adopting the current Shelby County Construction Codes as the Memphis and Shelby County Construction Codes; and authorizing the mayors of the City of Memphis and the County of Shelby to execute said agreements.

Zoning and Subdivisions

**BOLTON
ADOPTED
(A-D)**

3. Resolution approving various subdivision contracts, plats, extensions, bond releases, etc. as recommended by the County Engineer.

Reports and/or Resolutions of Standing Committees

**KIRK
ADOPTED**

4. Resolution to approve a contract between Shelby County Government and Delphax Technologies, Inc. for maintenance and support of the Duplex Printing System, in the total amount of \$92,737.56 from FY 2003/2004 Operations and Maintenance Budget, Account #010-201804-6780.

**KIRK
ADOPTED**

5. Resolution approving contract with Medfac Engineering LLC for engineering consulting services and appropriating funds in the amount of \$76,900.00 from the FY 2003/2004 Budget for CIP Project No. 101505, Justice System: Criminal Justice Center.

**LILLARD
ADOPTED**

6. Resolution amending the FY 2003/2004 Operating Budget for the Division of Public Works, Memphis and Shelby County Emergency Management Agency, Weapons of Mass Destruction Grant in the amount of \$92,792.00.

**AVERY
ADOPTED**

7. Resolution approving a contract with the Regional Medical Center in the amount of \$350,000.00 to provide emergency medical and psychiatric detoxification program services to indigent individuals.

**THOMPSON
ADOPTED**

8. Resolution authorizing the Shelby County General Sessions Criminal Court Judges to accept and expend \$150,000.00 in grant funds from the City of Memphis Police Department for substance abuse treatment for offenders in the Drug Court Program and amending the FY 2003/2004 Operating Budget.

**THOMPSON
ADOPTED**

9. Resolution amending the FY 2003/2004 Budget of the District Attorney General to allow expenditure of proceeds of the H.W. Durham Foundation Elder Financial Abuse Grant that were unexpended and unencumbered at June 30, 2003.

**THOMPSON
ADOPTED**

10. Resolution approving appropriation of \$296,769.00 excluding cost-share contributions for the SAMHSA Jail Diversion Grant for Individuals with Mental Health/Co-occurring Substance Abuse Disorders, and approving a subcontract with Foundations Associates for \$221,555.00 excluding sub-recipient cost-share contributions to deliver co-occurring treatment for defendants upon release and to evaluate the program based on SAMHSA research protocols and guidelines, and amending the FY 2003/2004 Shelby County Operating Budget.

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| THOMPSON
ADOPTED | 11. Resolution authorizing the Shelby County Division of Corrections to accept an grant extension from the United States Department of Education for the continuing of the Lifeskills Program, amending the FY 2003/2004 Operating Budget of the Division of Corrections in the amount of \$90,297.00 and approving the contract with Women in Community Service, Inc. in the amount of \$61,223.00. |
| MOSS
ADOPTED | 12. Resolution approving Amendment No. 1 of the contract agreement between the Department of Regional Services and the Mid-South Transportation Organization. |
| AVERY
ADOPTED | 13. Resolution increasing the appropriation amount for Metropolitan Interfaith Association pursuant to its Head Start Delegate Contract by \$800.00 for the grant year January 1, 2003 through December 31, 2003. |
| AVERY
ADOPTED | 14. Resolution increasing the appropriation amount for Primary Preparatory, Inc. pursuant to its Head Start Delegate Contract by \$800.00 for the grant year January 1, 2003 through December 31, 2003. |
| AVERY
(DEFERRED
TO 10/13/03) | 15. Resolution increasing the appropriation amount for Shelby County Head Start, Inc. pursuant to the Head Start Delegate contract by \$2,123,638.00 for the grant year January 1, 2003 through December 31, 2003. |
| AVERY
(DEFERRED
TO 10/13/03) | 16. Resolution approving Shelby County Head Start, Inc. for an increase in funding of \$1,600.00 for the grant year January 1, 2003 through December 31, 2003. |
| MOSS
ADOPTED | 17. Resolution appropriating funds in the amount of \$187,250.00 from the FY 2003/2004 Budget for CIP Project #1010906, Chickasaw Basin Authority, to the Shelby county Soil Conservation District to cost share the repairs and improvements to Mary's Creek Dam #8 with the Federal Government Natural Resources Conservation Service (NRCS) and amending the FY 2003/2004 CIP Budget. |

FORD ADOPTED	CONSENT AGENDA
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R E G U L A R A G E N D A

Elections, Appointments, and Confirmations

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|---------------------------|--|
| KIRK
ADOPTED | 18. Resolution receiving and filing oath for the Chairman of the Shelby County Board of Commissioners. |
| MALONE
ADOPTED | 19. Resolution receiving and filing oath for the Chairman Pro Tempore of the Shelby County Board of Commissioners. |

- FORD
ADOPTED

20. Resolution approving the county mayor’s nomination of Henry Hooper and Osie Ward for reappointment and Bill Powell and Ulysses Truitt for appointment to the Shelby County Retirement Board.
- MALONE
ADOPTED
AS AMENDED

21. Resolution approving the county mayor’s nomination of John Elkington for reappointment and the appointment of Darrel Cobbins to the Memphis and Shelby County Center City Commission Board.
- BAILEY
(DEFERRED
TO 10/13/03)

22. Resolution approving commissioners to the respective Standing Committees and Delinquent Tax Parcel Committee.

Ordinances

Zoning and Subdivisions

- HOOKS
WITHDRAWN

23. **CASE NO. P.D. 02-350 CC**
APPLICANT: Dr. Paul Green
LOCATION: North side of Walnut Grove Road; +/- 552 feet east of Rocky Point Road
REQUEST: Mixed-use Planned Development to allow General Office (O-G), Single Family Residential (R-S6) and Multiple Dwelling Residential (R-ML) Districts uses within the Outline Plan

Memphis and Shelby County Office of Planning and Development recommendation:
REJECTION

Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL WITH CONDITIONS

(Notice of public hearing published in Daily News on Friday, August 1, 2003.)

- HOOKS
(DEFERRED
TO 11/17/03)

24. **CASE NO. Z 03-114 CC**
APPLICANT: Windsor Park, LLC
LOCATION: North side of Ellis Road; beginning 944.6 feet west of Brunswick Road
REQUEST: Single Family Residential (R-S10) District

Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL

Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL

(Notice of public hearing published in the Daily News on Friday, August 15, 2003.)

**HOOKS
FAILED**

25. **CASE NO. S 00-043 CC**
APPLICANT: Fred Elam

LOCATION: North side of Finch Road at the intersection of April Forest Drive

REQUEST: Appeal to overturn the action of the Land Use Control Board approval of a two-year time extension for the preliminary plan and increasing the number of lots from nine to sixteen

Memphis and Shelby County Office of Planning and Development recommendation:
APPROVAL SUBJECT TO REVISED CONDITIONS

Memphis and Shelby County Land Use Control Board recommendation:
APPROVAL SUBJECT TO REVISED CONDITIONS

(No notice of public hearing in newspaper of general circulation required; however notice letters to interested property owners mailed on Friday, September 19, 2003.)

Reports and/or Resolutions for Standing Committees

**FORD
FAILED**

26. Resolution rescinding Resolution Number 24 adopted on March 10, 2003 establishing a Commission Advisory Committee as an advisory body to the Shelby County Board of Commissioners.

**MOSS
ADOPTED**

27. Resolution to endorse the development of a comprehensive land use and transportation plan for the area defined as the 385 Corporate Corridor.

**THOMPSON
ADOPTED**

28. Resolution approving expenditure of funds in the amount of \$173,733.00 to Software Plus, Ltd. for the purchase of Microsoft software and licensing for the Shelby County Sheriff’s office from the FY 2002/2003 Operating Budget.

**AVERY
ADOPTED**

- 28A. Resolution authorizing Shelby County Administration to take any and all steps necessary to transition the administration and control of Head Start from Head Start, Inc. to Shelby County Government.

Adjournment

**KIRK
ADOPTED**

29. Resolution of Adjournment to October 13, 2003 at 1:30 p.m.

AGENDA # 3
SEPTEMBER 29, 2003

3A

SUBDIVISION: AFTON GROVE P.D., PHASES 2A & 2B (P.D. 01-319 CC)

DEVELOPER: AFTON GROVE PARTNERS

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO AFTON GROVE P.D., PHASES 2A AND 2B (P.D. 01-319 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: NORTH SIDE OF ROCKY POINT ROAD; +-351 FEET WEST OF BUCKEYE ROAD

3B

SUBDIVISION: COLEY PLACE SUBDIVISION (S 02-028 CC)

DEVELOPER: COLEY PLACE JOINT VENTURE

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO COLEY PLACE SUBDIVISION (S 02-028 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: NORTHWEST CORNER OF BRIDGEWATER ROAD AND BAPTIST CHURCH ROAD

3C

SUBDIVISION: DKD SUBDIVISION (S 03-020 CC)

DEVELOPER: DIANA B. HORNE

ACTION: RESOLUTION TO APPROVE THE PLAT FOR THE DKD SUBDIVISION (S 03-020 CC) AND AUTHORIZE THE RECORDING OF THE PLAT

LOCATION: SOUTH SIDE OF PLEASANT RIDGE ROAD; +1,582 FEET WEST OF TWIN OAKS DRIVE

3D

SUBDIVISION: HACKS CROSSING P.D., PHASE 6 (P. D. 96-324 CC)

DEVELOPER: SHELBY-HACKS, JOINT VENTURE

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO THE HACKS CROSSING P.D., PHASE 6 (P.D. 96-324 CC) AND AUTHORIZE RECORDING OF THE PLAT

LOCATION: GENERALLY NEAR THE SOUTHWEST CORNER OF HACKS CROSS ROAD AND SHELBY DRIVE (118 FEET EAST OF EASY STREET)